

MEMO ENDORSED

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

-----X
HUZHOU CHUANGTAI RONGYUAN :
INVESTMENT MANAGEMENT :
PARTNERSHIP, HUZHO HUIHENG YING :
EQUITY INVESTMENT PARTNERSHIP, and :
HUZHOU HUIRONGSHENG EQUITY :
INVESTMENT PARTNERSHIP, :
:

Petitioners,

v.

HUI QIN,

Respondent.
-----X

21 Civ. 9221 (KPF)

**MOTION TO EXPEDITE MOTION TO DISSOLVE AUTOMATIC STAY OF
PROCEEDINGS TO COLLECT JUDGMENT**

Petitioners Huzhou Chuangtai Rongyuan Investment Management Partnership, Huzhou Huihengying Equity Investment Partnership, and Huzhou Huirongsheng Equity Investment Partnership (collectively, “Petitioners”), by and through the undersigned counsel, respectfully move for expedited treatment of their motion (Dkt. No. 49) (the “Motion”) to dissolve the 30-day automatic stay of proceedings to collect the Judgment recently entered in this action.

In this action, Petitioners filed a petition (Dkt. No. 1) (“Petition”) and then moved by summary judgment (Dkt. Nos. 15-17) to confirm and enforce an arbitral award (“Award”). The Award grants damages to Petitioners in excess of \$400 million.

This Court entered its Opinion and Order (Dkt. No. 44) (the “Order”) on September 26, 2022, and its Judgment on October 11, 2022 (Dkt. No. 46). The Order and Judgment grant the Petition to confirm and enforce the Award.

Pursuant to Rule 62(a) of the Federal Rules of Civil Procedure, “execution on a judgment and proceedings to enforce it are stayed for 30 days after its entry, *unless the court orders*

otherwise.” See Fed. R. Civ. P. 62(a) (emphasis added). Thus, presently, Petitioners are required to wait until November 10, 2022 (*i.e.*, 30 days from the date of the Judgment) before commencing proceedings to collect the Judgment. However, prior to the expiration of the 30-day deadline, the Court has the authority to dissolve the automatic stay to prevent the dissipation of assets.

In its Motion, Petitioners ask this Court to dissolve the automatic stay at this time because there is a serious risk of Respondent Hui Qin (“Qin”) dissipating his assets during the 30-day period. Because the Motion seeks time-sensitive relief, and because of the straightforward nature of the Motion, Petitioners respectfully request expedited treatment of the Motion. Petitioners respectfully propose the following briefing schedule: (i) that Qin be required to submit his response to the Motion on October 18, 2022, and (ii) that Petitioners be required to submit their reply on October 19, 2022.

Respectfully submitted,

Dated: October 13, 2022
New York, New York

PILLSBURY WINTHROP SHAW PITTMAN LLP

By: /s/ Andrew C. Smith

Andrew C. Smith
Geoffrey Sant
Carol Lee
31 West 52nd Street
New York, New York 10019
Tel: (212) 858-1000
Fax: (212) 858-1500
andrew.smith@pillsburylaw.com
geoffrey.sant@pillsburylaw.com
carol.lee@pillsburylaw.com

*Attorneys for Petitioners Huzhou Chuangtai
Rongyuan Investment Management
Partnership, Huzhou Huihengying Equity
Investment Partnership, and Huzhou
Huirongsheng Equity Investment
Partnership*

The Court is in receipt of Petitioners' motion to dissolve Rule 62(a)'s 30-day automatic stay of collection proceedings (Dkt. #49) and accompanying papers (Dkt. #50-52). The Court is also in receipt of Petitioners' above motion to expedite the briefing of the dissolution motion.

Recognizing that the dissolution motion will become moot on November 10, 2022, Petitioners' motion to expedite is GRANTED IN PART. Respondent shall file any opposition to the dissolution motion on or before **October 24, 2022**. Petitioners shall file their reply on or before **October 26, 2022**.

The Clerk of Court is directed to terminate the motions at docket entries 53 and 54.

Dated: October 14, 2022
 New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE